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STATE OF DELAWARE  
**DEPARTMENT OF STATE**

DIVISION OF PROFESSIONAL REGULATION

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**PUBLIC MEETING MINUTES: Real Estate Education Committee –Subcommittee**

**MEETING DATE AND TIME: Thursday, January 6, 2011 at 11:30 a.m.**

**PLACE: 861 Silver Lake Boulevard, Dover, Delaware  
Conference Room A**

**MINUTES APPROVED 2/10/2011**

**MEMBERS PRESENT**

Danielle Benn  
Dee Hake DeMolen  
Doug Doyle  
H. James Kelleher Jr.  
Tim Riale  
Harry Wooding

**MEMBERS ABSENT**

Gina McCollum-Crowder  
Steve Schmidt

**DIVISION STAFF**

Jessica Williams, Administrative Specialist II

**CALL TO ORDER**

Ms. DeMolen called the meeting to order at 12:09 p.m.

**REVIEW AND APPROVAL OF MINUTES**

Mr. Riale made a motion, seconded by Mr. Kelleher to approve the December 9, 2010 meeting minutes as presented. Motion unanimously carried.

**Discussion Regarding Continuing Education Requirements for Newly Licensed Salespersons**

Ms. DeMolen stated that the purpose of this Subcommittee meeting was to draft a proposed detailed outline for the courses that would be required for newly licensed and existing salespersons.

The Subcommittee drafted the following detailed course outline for newly licensed agents:

**Module 1**

**Professional Standards (3 Hours)**

- Code of Ethics
- Professional Standard Issues
- Case Studies
- Complaint Process
- Sanctions or Monetary Awards
- Questions and Answers
- Written Review

Courses may cover such topics as, but not limited to: arbitration, procuring cause, mediation etc.

## **Module 2**

### **Agreement of Sale (3 Hours)**

Agreement of Sales  
FHA/VA Amendatory Language  
Short Sales Addendum  
Must Sell Addendum

## **Module 3**

### **Real Estate Documents (3 Hours)**

Other Real Estate Documents to include but not limited to:  
Listing Agreements  
CIS  
Seller's Disclosures  
HUD-1  
Radon  
Lead  
Buyer Agency  
Any Additional Disclosures and Addendums (i.e. written request for repairs)

## **Module 4**

### **Contemporary Issues (3 Hours)**

Whereas the business of real estate is constantly changing and being impacted with new laws, regulations and real estate related issues, this course is designed to insure that real estate licensees are knowledgeable of these factors and their impact on real estate so as to bring their practices into compliance. The content of this course will require specific content approval on a case-by-case basis as submitted for continuing education credit approval. Each course presented under Contemporary Issues shall meet the following criteria:

Identification of the Issues  
Review of its impact upon real estate practitioners  
Requirements to be in compliance  
Written Review  
Questions and Answers

(For information only: Topics could include the following but not limited to: Anti-Trust, Federal and State Legislative Issues, Red Flag Issues, Disclosures, Local Issues, DREC Seminar, Green, Mold, Meth Labs, Bedbugs, Wet Lands, Flood Plains, Tax Ditches, Surveys/Encroachments, Open Permits, Short Sales/Foreclosures, Contemporary Finance, Insurance, Home Inspections, BPO)

## Module 5

### Real Estate Professionalism

Follow the Golden Rule  
Respect for the Public  
Respect for Property  
Respect for Peers

\*Agency will be covered in module 2 and module 3. Fair housing will be covered in pre-licensing.

Mr. Doyle made a motion, seconded by Mr. Riale to approve the outline to submit to the Real Estate Education Committee for review. New licensees will be required to take the five modules within the first 12 months of licensure, and will count towards the next full two year license renewal continuing education requirements, as well as obtaining 15 elective credits within the licensure cycle. Motion carried with Mr. Kelleher opposed.

The Subcommittee drafted the following detailed course outline for existing salespersons:

## Module 1

### Agency (80 Minutes)

Pre-House Bill 122} Yesterday  
House Bill 122} Today

#### Definitions

- Ministerial Task
- Statutory Agency
- Brokerage Organization

#### CIS- It's the **LAW!**

- Presentation Requirements
  - Open House
  - New Construction
  - Signature
- Confidentiality
  - Sex Offender Disclosure
- Dual Agency
- Common Law Agency
- Obligations/Required Duties
- Imputed Knowledge
- Vicarious Liability (Broker Remains Vicariously Liable for Their Agents)
- Notice
- Actions Permitted
- Duties of Cooperation
- Record Keeping
- Commencement and Termination of Agency

Written Review

Break (20 Minutes)

### Fair Housing (80 Minutes)

Civil Rights Act of 1866  
Fair Housing Act of 1968

Federal Protected Classes

Delaware Protected Classes

Article 10-Code of Ethics

Americans with Disabilities Act

Steering

Blockbusting

Redlining

Megan's Law

Equal Service Report Form

Complaint Process

Staying Out of Trouble

Case Histories

Advertising

- Posters

- No Preference

- Discouraged Wording

Exemptions

Assistance Animals

HOPA (Housing for Older Persons Act)

Written Review

## Module 2

### **Agreement of Sale (3 Hours)**

Agreement of Sales

FHA/VA Amendatory Language

Short Sales Addendum

Must Sell Addendum

## Module 3

### **Real Estate Documents (3 Hours)**

Other Real Estate Documents to include but not limited to:

Listing Agreements

CIS

Seller's Disclosures

HUD-1

Radon

Lead

Buyer Agency

Any Additional Disclosures and Addendums (i.e. written request for repairs)

## Module 4

### **Contemporary Issues (3 Hours)**

Whereas the business of real estate is constantly changing and being impacted with new laws, regulations and real estate related issues, this course is designed to insure that real estate licensees are knowledgeable of these factors and their impact on real estate so as to bring their practices into compliance. The content of this course will require specific content approval on a case-by-case basis as submitted for continuing education credit approval. Each course presented under Contemporary Issues shall meet the following criteria:

Identification of the Issues

Review of its impact upon real estate practitioners

Requirements to be in compliance  
Written Review  
Questions and Answers

(For information only: Topics could include the following but not limited to: Anti-Trust, Federal and State Legislative Issues, Red Flag Issues, Disclosures, Local Issues, DREC Seminar, Green, Mold, Meth Labs, Bedbugs, Wet Lands, Flood Plains, Tax Ditches, Surveys/Encroachments, Open Permits, Short Sales/Foreclosures, Contemporary Finance, Insurance, Home Inspections, BPO)

## **Module 5**

### **Real Estate Professionalism**

Follow the Golden Rule  
Respect for the Public  
Respect for Property  
Respect for Peers

Mr. Wooding made a motion, seconded by Mr. Doyle to approve the outline to submit to the Real Estate Education Committee for review. Existing licensees will be required to take the five modules as well as 15 elective credits within the two year licensure cycle, for a total of 30 credit hours. Motion carried with Mr. Kelleher opposed.

### **Other Business before the Subcommittee (For Discussion Only)**

Ms. Benson volunteered to contact the NAR to request that the Committee be allowed to use the language from their Pathways to Professionalism Course brochure. If they will not grant permission, Ms. Benson will create a new brochure.

### **Public Comment**

There was no public comment.

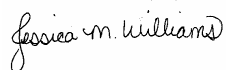
### **Schedule Next Meeting**

The Subcommittee did not schedule an upcoming meeting at this time.

### **Adjournment**

There being no further business, Mr. Doyle made a motion, seconded by Mr. Wooding, to adjourn the meeting. Motion unanimously carried. The meeting adjourned at 1:58 p.m.

Respectfully submitted,



Jessica Williams  
Administrative Specialist II